

REMARKS/ARGUMENTS

Claims 1-20 remain in the application.

Claim 1 is amended.

Claims 6-20 are currently cancelled.

Claims 21-34 are newly presented.

Elections/Restrictions

Claims 1-20 were subject to a restriction requirement. Claims 1-5 were elected for prosecution in the present application.

Claims 6-20 are hereby cancelled. However, claims 6-8 are dependent upon currently rejected claim 4. The Applicant notes with pleasure that the Examiner will consider rejoinder of claims 6-8 if claim 4 is found to be allowable.

Furthermore, the Applicant reserves the right to pursue the non-elected claims in one or more Divisional applications filed during the pendency of the present application.

Information Disclosure Statement

The Examiner is thanked for acknowledging and reviewing the Information Disclosure Statement previously filed by Applicant.

Claim Rejections Under 35 USC § 102

Claims 1, 2 and 4 were rejected under 35 USC § 102(b) over US Patent 5,880,369 to Samuels, et al.

The invention of claim 1 as currently amended is patentable over Samuels, which teaches a micromachined device is provided that intended to establish select dimensional relationships between micromachined structures to achieve correlation in dimensional variation among these structures. See, e.g., Abstract.

Samuels teaches springs 314-320 that may also be configured in more complex shapes, such as in a series of folds like springs 414, 416 of Figure 4. Column 6, lines 332-35.

Claim 1 was rejected under 35 USC § 102(b) over US Patent 5,025,346 to Tang, et al.

The invention of claim 1 as currently amended is patentable over Tang, which teaches a microbridge device for use as a sensor or an actuator that is intended to be driven parallel to a

substrate as a resonant microstructure. The microstructure comprises a stationary thin-film electrode secured to the substrate and located in a plane above it. A movable plate overlaying the substrate is suspended above it. The movable plate and electrode are patterned in a manner that is intended to provide at least one comb with fingers interdigitated with those of the other. See, e.g., Abstract.

In Figure 5 Tang teaches a structure 40 that is driven into torsional resonance by a set, four pairs, of concentric interdigitated electrodes 41 and 42, one of the structures being formed with two Archimedean spirals 43 and 44 as supporting beams. Column 6, lines 3-7

Claims 1 and 4 were rejected under 35 USC § 102(b) over US Patent 6,494,096 to Sakai, et al.

The invention of claim 1 as currently amended is patentable over Sakai, which teaches a semiconductor acceleration sensor that is intended to prevent an adhesion of a movable electrode to a first or second fixed electrode due to an electrostatic attracting force generated therebetween. See, e.g., Abstract.

Claims 1 and 4 were rejected under 35 USC § 102(e) over US Patent 6,522,445 to Kleytman.

The invention of claim 1 as originally presented is patentable over Kleytman, which teaches a support for a mirror which reflects a laser ray to a detector. The mirror is gimbaled about two perpendicular axes. The mirror is supported solely by strain gauges. Rotation of the mirror about an axis causes one of the strain gauges to produce a signal indicative of the rotation. The signals are used as feedback signals to indicate position of the mirror, and thus position of the reflected ray. See, e.g., Abstract (emphasis added).

In Figure 10, Kleytman teaches strain gauges 25 supporting the mirror 3. Column 2, lines 21-23, see also, column 2, lines 61-65 (emphasis added).

Figure 11 is a top view of the strain gauge 25. Column 2, line 66 (emphasis added).

Figure 12 is a perspective view of the strain gauge 25 shown in Figure 10. Column 2, line 66-column 3, line 4 (emphasis added).

Figure 13 and Figure 14 both illustrate displacement by distance D of the strain gauge 25 shown in Figure 10. Column 3, lines 1-9 (emphasis added).

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Thus, Kleytman fails to teach in any form the flexure members formed through the thickness of a substrate, as originally recited in claim 1.

Furthermore, as the Examiner admits, and the Applicant agrees, all of Samuels, Tang, Sakai and Kleytman fail to teach the extension formed on one end of one or more of the interconnecting members and extending a part of the distance between one of the members interconnecting one pair of the spaced-apart elongated flexure members and an end of a next adjacent members interconnecting a next adjacent pair of the spaced-apart elongated flexure members, as previously recited in original claim 3 (now cancelled). Claim 1 is amended to incorporate this novel and patentable subject matter of original claim 3 there into.

For at least the above reasons, claim 1 is now believed to be allowable over each of Samuels, Tang, Sakai and Kleytman.

Claims 2 and 3 are hereby cancelled.

Claim 4 and 5 are allowable as originally presented at least as depending from now allowable claim 1.

Rejoinder Of Claims

Claims 6-8 were cancelled as being dependent upon currently rejected claim 4. Furthermore, claims 6-8 were cancelled as part of an election in response to a Restriction Requirement.

The Examiner agreed to consider rejoinder of claims 6-8 if claim 4 is found to be allowable. The Applicant contends that claim 4 is allowable at least as depending from now allowable claim 1.

Accordingly, the Applicant hereby respectfully requests rejoinder of cancelled claims 6-8.

Newly Presented Claims

Newly presented claims 21 and 29 are fully supported by the Specification and Drawings of the present application as originally filed. No new matter is added.

Newly presented claims 21 and 29 are believed to be allowable at least for the above reasons.

Newly presented claims 22-28 and 30-34 are allowable at least as depending from allowable claims 21 and 29, respectively.

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The claims now being in form for allowance, reconsideration and allowance is respectfully requested.

If the Examiner has questions or wishes to discuss any aspect of the case, the Examiner is encouraged to contact the undersigned at the telephone number given below.

Respectfully submitted,

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